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Fax No.: 703-872-9306

From: Howard J. Klein

Date: September 8, 2004

Total Number of Pages  
(Including Transmittal Sheet): 8

Reference: U.S. Patent Application No.: 10/622,065  
"SHAPE MEMORY ALLOY ACTUATOR"  
Examiner: Sheldon J. Richter  
Art Unit: 3748  
Docket No. 606-55-PCT-CON

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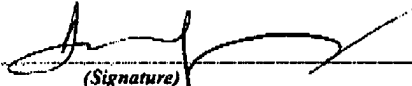
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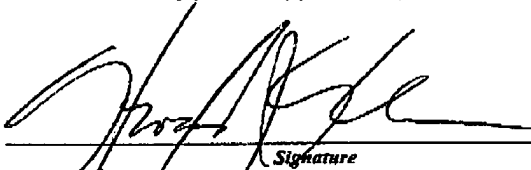
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- ❖ Certificate of Facsimile Transmission (1 page);
- ❖ Amendment Transmittal Letter (1 page); and
- ❖ Response to Office Action (5 pages)

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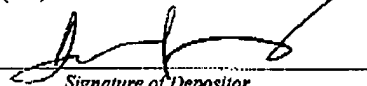
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<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			Docket No. <b>606-S5-PCT-CON</b>
Applicant(s): <b>Morton Mernoe</b>			
Application No. <b>10/622,065</b>	Filing Date <b>July 17, 2003</b>	Examiner <b>Sheldon J. Richter</b>	Group Art Unit <b>3748</b>
Invention: <b>SHAPE MEMORY ALLOY ACTUATOR</b>			
<div style="text-align: right;"><b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>SEP 08 2004</b></div> <p>I hereby certify that this <u>Amendment Transmittal Letter</u> <i>(Identify type of correspondence)</i> is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u>) on <u>September 8, 2004</u> <i>(Date)</i></p> <div style="text-align: right;"><p><u>Carrie Anne Cheung</u> <i>(Typed or Printed Name of Person Signing Certificate)</i></p><p> <i>(Signature)</i></p></div> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					Docket No. <b>606-55-PCT-CON</b>	
Applicant(s): <b>Morton Mernoe</b>						
Application No. <b>10/622,065</b>	Filing Date <b>July 17, 2003</b>	Examiner <b>Sheldon J. Richter</b>	Customer No. <b>22145</b>	Group Art Unit <b>3748</b>	Confirmation No. <b>1837</b>	
Invention: <b>SHAPE MEMORY ALLOY ACTUATOR</b>						
<b>COMMISSIONER FOR PATENTS:</b>						
Transmitted herewith is an amendment in the above-identified application.						
The fee has been calculated and is transmitted as shown below.						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	10 -	20 =	0 x	\$18.00	\$0.00	
INDEP. CLAIMS	2 -	3 =	0 x	\$86.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>	
<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <input checked="" type="checkbox"/> No additional fee is required for amendment.  <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____  <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.  <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 11-1159  <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.  <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. </div> <div style="width: 35%; text-align: right;"> Dated: September 8, 2004 </div> </div> <div style="margin-top: 20px;">   _____  Signature </div> <div style="margin-top: 10px;"> <b>Howard J. Klein (Reg. No.: 28,727)</b>  <b>Klein, O'Neill &amp; Singh, LLP (Customer No.: 22145)</b>  <b>2 Park Plaza, Suite 510</b>  <b>Irvine, California 92614</b>  <b>Tel: (949) 955-1920</b>  <b>Fax: (949) 955-1921</b>  <b>Email: hjklein@koslaw.com</b> </div>						
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> CC: </div> <div style="width: 50%; border: 1px solid black; padding: 5px;"> I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.   _____  Signature of Person Mailing Correspondence   _____  Typed or Printed Name of Person Mailing Correspondence </div> </div>						

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Morton Mernoe )  
Application Number: 10/622,065 )  
Filed: July 17, 2003 )  
Group Art Unit: 3748 )  
Examiner: Sheldon J. Richter )  
For: SHAPE MEMORY ALLOY ACTUATOR )

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Carrie Anne Cheung Typed or Printed Name of Depositor
Date of Signature: September 8, 2004

Commissioner for Patents  
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AMENDMENT AND RESPONSE

Dear Sir:

In response to the office action mailed June 9, 2004, please amend the subject application as follows:

Amendments to the Claims are set forth in the listing of the claims beginning on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

Attorney Docket No.: 606-55-PCT-CON